

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 21-CR-000281-GAF
)	
THOMAS W. PITTS,)	
)	
Defendant.)	

MOTION TO CONTINUE

Defendant Thomas W. Pitts asks this Honorable Court to remove this case from the joint criminal jury trial docket scheduled to begin on May 2, 2022, and move it to the October 31, 2022 docket. The following is offered in support:

1. Mr. Pitts is charged by way of a November 30, 2021 indictment with one count of Conspiracy to Distribute Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) and 846; one count of Possession with the Intent to Distribute 50 Grams or More of Methamphetamine in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A); and two counts of Distribution of Methamphetamine in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B)

2. The government filed an Information Charging Prior Serious Drug Felonies pursuant to 18 USC § 851.

3. Although this is a one-person indictment, the discovery is voluminous. Counsel was able to obtain assistance from the National Litigation Support Team (fd.org) to assist in accessing round one of the discovery. Counsel is still reviewing round two.

4. Counsel needs additional time to review discovery, to conduct independent legal and factual investigation for pretrial motion preparation, to negotiate a resolution, and to prepare for trial.

5. Counsel has discussed continuing this case and his Speedy Trial rights with Mr. Pitts. Mr. Pitts understands the need for this continuance request and does not object.

6. AUSA Robert Smith, on behalf of the government, has no objection to this continuance request.

7. The parties also jointly propose a May 16, 2022 pre-trial motions deadline, with 14 days to respond.

8. The continuance is sought not for purpose of dilatory delay but is sought in truth and fact that the defendant may be afforded due process of law under the Fifth and Sixth Amendments to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(i), (ii), & (iv), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the defendant to a speedy trial, which is required by 18 U.S.C. § 3161(c)(1).

9. Under the provisions of 18 U.S.C. § 3161(h)(7)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, defendant Thomas W. Pitts respectfully requests that this Honorable Court continue this case from the May 2, 2022 trial docket to the August October 31, 2022 trial docket.

Respectfully submitted,

THE LAW OFFICE OF
JANE FRANCIS, LLC

By s/ Jane Francis
Jane Francis, #63818
6812 North Oak Trafficway, Suite 5
Kansas City, MO 64118
(816) 436-3100 x 211 Telephone
(816) 436-8643 Fax
Jane@FrancisLawOfficeLLC.com
ATTORNEY FOR DEFENDANT
THOMAS W. PITTS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above was filed with ECF on March 15, 2022, thereby sending copies to all parties.

s/ Jane Francis
Jane Francis